**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**TESTAMENTARY AND INTESTATE JURISDICTION**

PETITION NO. 1059 OF 1998

Sunita Ram Shahani. ... Petitioner.

V/s.

Devi Techchand Shahani
and another. ... Caveator.

Sanjay Jain i/b. L.J.Law for the petitioner.

A.A.Kumbhakoni with Ms.Kamal Velankar
for the caveators.

**CORAM: V.C.DAGA, J.**

**DATED: 10th December 2007.**

**P.C.:**

. The draft amendment is taken on record and allowed by consent of parties. The petitioner is directed to incorporate the draft amendment in the body of the petition during the course of the day. The said draft amendment is marked as "X-1" for identification.

2. Both parties to the petition are present. The parties have presented consent terms dated 10th December, 2007 duly signed by the parties and counter signed by their respective advocates. The same is taken on record and marked "X-2" for identification. They have also tendered minutes of order dated 10th December, 2007, which are also

taken on record and marked "X-3" for identification.

3. Both learned counsel appearing for the parties have jointly made motion for disposal of the petition in terms of the minutes of order dated 10th December, 2007. The undertakings given by the parties and the statements made therein are accepted and taken on record. Petition, accordingly, stands disposed of in terms of the minutes of order dated 10th December, 2007 with no order as to costs.

4. In view of disposal of the petition, the motion taken out therein does not survive. The same stands disposed of as infructuous with no order as to costs.

**(V.C.DAGA, J.)**